PATENT

DOCKET NO.: CEPH-1157 (CP149-B US)

Application No.: 09/708,233 **Office Action Dated:** July 23, 2004

REMARKS

Claims 1 to 5 are pending in this application. No amendments are being made to the claims. Claims 1 to 5 are rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1 to 4 of US-B-6,306,849. Applicants are submitting herewith a terminal disclaimer to obviate the rejection. Applicants respectfully request withdrawal of the rejection and allowance of claims 1 to 5.

The Examiner is requested to contact the undersigned attorney if there are any remaining issues with the application.

Date: September 30, 2004

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